

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

STATE OF TEXAS,

Defendant.

Civil Action No. 7:25-cv-00055-O

**JOINT RESPONSE TO INTERVENORS’
NOTICE OF REQUEST FOR STATUS CONFERENCE**

Proposed Intervenorors have requested a status conference to discuss their Emergency Motion to Intervene (ECF. No. 16), Emergency Motion to Vacate (ECH. No. 17), and Emergency Motion to Stay (Dkt. ECF. 18). ECF. No. 82. Because the Court has all the information it needs from the briefing in this case, a status conference is unnecessary. Consequently, the Court should deny this request.

Each of the deadlines the Proposed Intervenorors point to, including Austin Community College’s class start date and Oscar Silva’s tuition payment date have already been noted in the filings already before this Court. *See e.g.*, Dkt. No. 19, App. 137 (Ex. 15, Decl. of Oscar Silva). Proposed Intervenorors, then, have no new information to present to the Court at the proposed status conference. Their deadlines have been repeatedly raised and their preferred timeline for when this Court should rule is well-established. Having the parties gather before this Court will do nothing to change that reality.

Further, the Proposed Intervenorors do not make a claim that further argument is necessary. The Court has the briefing and can make its decision. And contrary to the Proposed Intervenorors’ baseless allegation (Dkt. 82 at 2), the Parties do not seek to evade meaningful review. Notably, the Complaint outlined the clear preemption issue in the case (Dkt. 1), the Parties’ motion for a consent

judgement reflects the Parties' meaningful assessment and agreement that the Texas law is expressly preempted by federal law (Dkt. 6), and the Court's Order and Final Judgment states the Court's judicial review and finding in declaring that "the challenged provisions, Texas Education Code §§ 54.051(m), 54.052(a), as applied to aliens who are not lawfully present in the United States, violate the Supremacy Clause and are unconstitutional and invalid." Dkt. 8. The Court should reject Proposed Intervenor's effort to rush the Court into making a decision in this case. As Proposed Intervenor state in their request, "the mounting procedural issues and rapidly approaching fall 2025 semester" led them to "seek clarity on the status of" their various motions before the Court. Dkt. 82 at 2. But because the Court is well aware of Proposed Intervenor's preferred timeline, a status conference would not benefit the Court, the Parties, or the Proposed Intervenor. The status of the three filings that the parties raise is clear: they are under consideration by the Court and the Court will make its decision in due time. In the interest of efficiency, Plaintiff, the United States, and Defendant, the State of Texas, respectfully request that the Court deny the Proposed Intervenor's request for a status conference.

Dated August 7, 2025

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Respectfully Submitted,

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